

**NURSING HOME ADMINISTRATOR EXAMINING BOARD
MINUTES
MADISON, WISCONSIN
JUNE 20, 2002**

PRESENT: David Egan, Dr. Robert Kessler, Karen Robinson, Jerry Schallock, Roxann Sobek, and Patricia Schulz

ABSENT: Robert Mulder

STAFF PRESENT: Cletus Hansen; Ruby Jefferson-Moore, Legal Counsel; Jack Temby, Greg Raube and other members of the DOE Business Team for a portion of the meeting.

CALL TO ORDER

The meeting was called to order at 9:35 a.m. by Karen Robinson, Chair. A quorum of six voting members was present.

AGENDA

The agenda were informally approved.

MINUTES (03/21//02)

MOTION: Jerry Schallock moved, seconded by Roxann Sobek, to approve the minutes, as drafted. Motion carried unanimously.

ADMINISTRATIVE REPORT

Bureau Director's Report

- **Board Roster**

Board members noted that Tony Oberbrunner retired on June 4, 2002. The Board anticipates an appointment of another representative of the Department of Health and Family Services by the Secretary of that Department.

Robert Kessler advised that his e-mail address is now: DrBob@qg.com

Robert Mulder should be added to the Screening Panel list.

- **2002 Meeting Dates**

Noted

- **To-Do List**

Noted

- **Summary Reports on Pending Court Cases, Disciplinary Cases and Administrative Rules**

Noted

- **Monthly Press Releases**

Noted

- **To-Pass Folder**

Noted

LEGISLATIVE UPDATE

AB 427, Relating to Requirements that Apply to a Person Taking the Examination for a Nursing Home Administrator License

The board noted that a new effort will be required when the new legislature commences in January 2002. Board members informally agreed that they are ready to undertake that effort.

ADMINISTRATIVE RULES UPDATE

The Board noted that this item would continue to be on the agenda, so that, as the need arises, the Board can discuss any new rulemaking issues that need attention.

EXAMINATION ISSUES

No report was needed from the Office of Education and Examinations. However, the Board did note materials that were provided to them, relating to an NHA job analysis and a technology proposal. These documents were received from the NAB.

APPROVAL OF CONTINUING EDUCATION COURSES

- **Alan Anderson**

The Board reviewed materials submitted by Mr. Anderson, relating to the program, entitled "Wisconsin Mental Health and the Law 2002."

MOTION: Pat Schulz moved, seconded by David Egan, to waive the 20-day requirement in the rule and to approve this program for satisfaction of continuing education hours, based on the fact that the front page of the program states that the course satisfies 6.0 hours of NHA continuing education hours. Motion carried unanimously.

- **Monitoring of Continuing Education**

Barbara Showers and Lydia Bridge, Office of Education and Examinations, appeared before the Board. Dr. Showers asked the Board about its preference for monitoring the completion of continuing education requirements by licensees. The Board said that it is satisfied with the procedures that have been used in past years, whereby licensees sign a statement on the back of the renewal notice, stating that they have completed the required number of continuing education hours.

BOARD MEMBER ACTIVITY

David Egan provided a written report on the NAB Annual Meeting that he attended in Providence, Rhode Island, on June 12-14, 2002.

MISCELLANEOUS CORRESPONDENCE/INFORMATION

The following items were noted: the Monthly Rule Summary of the Bureau of Quality Assurance in DHFS, a copy of the "Record Check News," and a copy of a press release from the Office of Governor Scott McCallum relating to Nursing Home Week in Wisconsin.

NEW BUSINESS

None

APPEARANCE OF ROLF DONHOWRE REGARDING APPLICATION OF LICENSE

Rolf F. Donhowe of Logansport, IN, an applicant for licensure, appeared before the Board to discuss documents that had been provided to the Board, relating to formal actions that the state of Indiana had commenced against him.

The Board subsequently deliberated in Closed Session and the Board's action is recorded on page 5 of these minutes.

PRESENTATION OF PROPOSED STIPULATION

- **Vincent W. Bergstrom**

Colleen Baird, DOE prosecutor, presented the proposed stipulation relating to Vincent W. Bergstrom. She was accompanied by Mr. Bergstrom, Borislav Kresovic (Bergstrom's employer) and Robert M. Hesslink, Jr. (Bergstrom's attorney).

The Board deliberated on this matter in Closed Session and the Board's action is recorded on page 6 of these minutes.

RECESS TO CLOSED SESSION

MOTION: Pat Schulz moved, seconded by Roxann Sobek, to convene the meeting in Closed Session pursuant to sections 19.85(1)(a), (b), (f) and (g), Wis. Stats.: to consider the licensing or discipline of a person licensed by the Board or the investigation of charges against such a person, and to discuss the case status report and case closings. Motion carried by a roll call vote: David Egan - yes; Dr. Robert Kessler - yes; Jerry Schallock - yes; Roxann Sobek - yes; Pat Schulz - yes; Karen Robinson - yes. Motion carried unanimously.

Open Session recessed at 11:52 a.m.

The Board deliberated on cases recommended for closing by the Division of Enforcement, on the application for examination submitted by Rolf Donhowe, and on the proposed stipulation relating to Vincent Bergstrom.

Jack Temby, Greg Raube and members of the Business Team in DOE reported on open cases, and members of the team presented cases that were recommended for closing.

RECONVENE IN OPEN SESSION

MOTION: Roxann Sobek moved, seconded by David Egan, to reconvene in Open Session at 1 p.m. Motion carried unanimously.

VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

CASE CLOSINGS

MOTION: David Egan moved, seconded by Jerry Schallock, to close case #00 NHA 020 for P1. Motion carried unanimously.

MOTION: David Egan moved, seconded by Roxann Sobek, to close case #98 NHA 030 for P3. Motion carried unanimously.

MOTION: Robert Kessler moved, seconded by Roxann Sobek, to close case #00 NHA 024 for P7. Motion carried unanimously.

MOTION: Robert Kessler moved, seconded by David Egan, to close case #00 NHA 029 for NV. Motion carried unanimously.

MOTION: Roxann Sobek moved, seconded by David Egan, to close case #01 NHA 020 for NV. Motion carried unanimously.

MOTION: Roxann Sobek moved, seconded by Pat Schulz, to close case #01 NHA 013 for NV. Motion carried unanimously.

MOTION: Robert Kessler moved, seconded by Pat Schulz, to close case #01 NHA 014 for P1. Motion carried unanimously.

MOTION: Roxann Sobek moved, seconded by Pat Schulz, to close case #00 NHA 039 for P1. Motion carried unanimously.

PENDING APPLICATIONS

- **Rolf F. Donhowe**

MOTION: Roxann Sobek moved, seconded by David Egan, to order as follows:

1. That Rolf F. Donhowe be granted a limited nursing home administrator license for an indefinite period of time.
 2. That Mr. Donhowe shall, within one month after he receives the results of any survey of the facility of which he is administrator, inform the Board of those results, and this requirement shall apply for 30 months after issuance of the order.
 3. That after 36 months following issuance of the order Mr. Donhowe may apply for a non-limited license, provided he has complied with the Board's order. That Mr. Donhowe shall report to the Board immediately after he receives a final decision relating to any disciplinary proceedings commenced by the state of Indiana.
 4. That the Board reserves the right to impose additional limitations or discipline relating to any misconduct performed in Wisconsin or another state.
 5. That the Board authorizes Karen Robinson to sign the Board's order after the order has been prepared by Legal Counsel.
- Motion carried unanimously.

PROPOSED STIPULATION

- **Vincent W. Bergstrom (Milwaukee)**

MOTION: David Egan moved, seconded by Pat Schulz, to accept the Stipulation, Findings of Fact and Conclusions of Law, relating to Vincent W. Bergstrom. The monitoring of this matter shall be placed on each Board agenda throughout the term of the order and Jerry Schallock shall be authorized to give subsequent approvals on behalf of the Board if the

Board does not meet, as currently scheduled. Motion carried unanimously. (Karen Robinson, Case Advisor, abstained.)

ADJOURNMENT

MOTION: Pat Schulz moved, seconded by David Egan, to adjourn the meeting at 1:20 p.m. Motion carried unanimously.